

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 360 OF 2023
IN THE MATTER OF:

AJAY SRIVASTAVA

...APPLICANT

VERSUS

STATE OF HARYANA & ORS

...RESPONDENTS

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Place: New Delhi

Date: 14.03.2026

Through Counsels:

  
Alok Sangwan, Rajat Sangwan and Sumit Kumar Sharma

[D/678/2000]

[D/4417/2019]

[D/6028/2020]

Advocates for the Respondent

10, Babar Lane, 2nd Floor, Bengali Market

NEW DELHI 110001

E-mail: sangwanalok@gmail.com, Phone: 9810364929

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

428

Original Application No. 360 of 2023

IN THE MATTER OF:

Ajay Srivastava

...Applicant

Versus

State of Haryana & Others

...Respondents

REPLY BY WAY OF ADDITIONAL AFFIDAVIT OF
RESPONDENT, i.e., HPGCL, FTPS, FARIDABAD

I, Arbind Kumar, Executive Engineer, Faridabad Thermal Power Station (FTPS), Haryana Power Generation Corporation Limited (HPGCL), Faridabad, Haryana, do hereby solemnly affirm and state as under:

1. That I am well conversant with the facts and circumstances of the present case and am duly authorized and as such, competent to swear this affidavit on behalf of HPGCL.
2. That the present additional affidavit is being filed in respectful compliance of the order dated 20.02.2026 passed by this Hon'ble Tribunal, whereby liberty was granted to the answering respondent to place on record certain document. Relevant portion of the said order is reproduced as under: -

"to place on record the orders passed by the Hon'ble Supreme Court in respect of remediation of the old ash dyke."

In compliance thereof, the answering respondent is placing on record orders of Hon'ble Supreme Court of India concerning remediation & Stabilisation of Old Ash Dyke at Faridabad Thermal Power Station and expert report forming part of the said record before the Hon'ble Supreme Court.

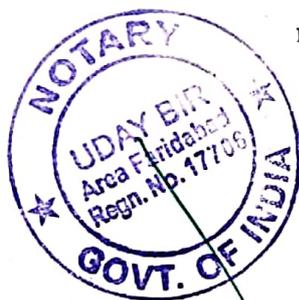
3. That the Faridabad Thermal Power Station was commissioned in phases, beginning with a 15 MW unit on 24.02.1966, followed by three 60 MW units commissioned on 22.11.1974, 06.03.1976 and 01.04.1981, respectively. With the passage of



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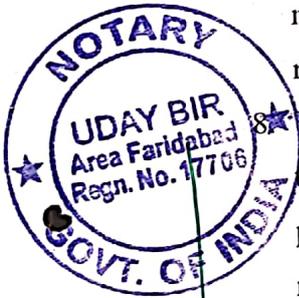
time, these generating units were phased out and ultimately retired by the year 2010. It is most respectfully reiterated that no ash has been deposited in the Old Ash Dyke for more than 38 years and no ash has been deposited in the New Ash Dyke since cessation of plant operations in 2010.

4. That concerns relating to fly ash dispersion from the Old Ash Dyke were raised before the Hon'ble Supreme Court through a letter petition by Secretary, Joint Action Committee, NIT Faridabad which had been taken cognizance vide Writ Petition (Civil) No. 510 of 1988 titled '*Joint Action Committee vs. State of Haryana & Ors.*' by the Hon'ble Supreme Court of India. The said petition pertained to issues qua ash disposal practices and the resultant contemporaneous pollution purported at the thermal power station. The Writ Petition entailed close monitoring by the Hon'ble Supreme Court through a Joint Action Committee, pursuant to which specific remedial and reclamation measures were conceived and implemented by the respondents/State to prevent ash dispersion and stabilize the site. Simultaneously, the then Haryana State Electricity Board (HSEB) engaged the Central Electricity Authority (CEA), Government of India, as technical consultant to prepare the scope of work, technical specifications, cost estimates, and to guide and supervise the execution of the stabilization and reclamation works in accordance with prevailing best engineering practices. A true copy of the letter petition dated 31.01.1988 by Secretary, Joint Action Committee to the Hon'ble Supreme Court of India has been attached herewith and marked as ANNEXURE R-1.
5. That vide order dated 31.07.1989, the Hon'ble Supreme Court directed the Chairman of the Central Pollution Control Board to appoint an independent expert to inspect the site and report whether the reclamation measures adopted were adequate and satisfactory. Pursuant thereto, Shri S. Hanmanth Rao, Former Chairman of Karnataka State Pollution Control Board, was appointed as independent expert. A true copy of the order dated 31.07.1989 passed by the Hon'ble Supreme Court in WP (C) No. 510 of 1988 has been attached herewith and



marked as ANNEXURE R-2. A true copy of the letter dated 25.08.1989 detailing the intent of Sh. S. Hanmanth Rao to inspect the site at FTPS pursuant to order dated 31.07.1989 has been attached herewith and marked as ANNEXURE R-3.

6. That the said expert conducted a detailed inspection of the ash disposal areas on 06.09.1989 in the presence of representatives of the petitioner committee, Haryana State Electricity Board, Central Pollution Control Board and Haryana State Pollution Control Board. After examining the site conditions, disposal areas and mitigation measures undertaken, the expert submitted his comprehensive report dated 11.09.1989 before the Hon'ble Supreme Court. A true copy of the report dated 11.09.1989 placed before the Hon'ble Supreme Court has been attached herewith and marked as ANNEXURE R-4.
7. That the said expert report categorically recorded that the mitigation plan consisted of covering the ash dumps with approximately 150–200 mm (about 6 inches after compaction) of earth, compacting the same, and planting grass to ensure stabilization. The report observed that in areas where such measures had already been implemented, the grass had taken root and no fly-over of ash was taking place.
8. That in paragraph 10 of the report, the expert clearly opined that the measures undertaken were satisfactory and adequate to prevent ash dispersion, and that similar reclamation practices, namely, earth covering followed by grassing and plantation are standard practice in developed countries for stabilizing ash disposal sites.
9. That upon consideration of the said expert report, the Hon'ble Supreme Court disposed of the said Writ Petition on 18.09.1989, being satisfied with the reclamation measures undertaken. A true copy of the order of Hon'ble Supreme Court dated 18.09.1989 has been attached herewith and marked as ANNEXURE R-5. Thereafter, the remaining earth covering and plantation works were completed on 07.02.1990. A true copy of the Letter of Completion



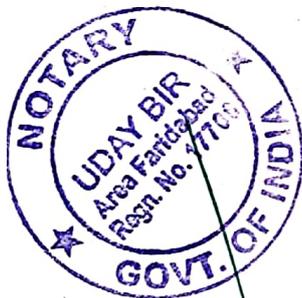
addressed to the Legal Remembrance, HSEB has been attached herewith and marked as ANNEXURE R-6. Thus, considering that all the measures were taken under the consultancy of Central Electricity Authority (CEA), Govt of India and under the monitoring of the Hon'ble Supreme Court, the Old Ash Dyke, admeasuring approximately 103 acres, was reclaimed and stabilized under the judicial oversight and under the consultancy of CEA.

10. That since completion of the aforesaid reclamation works during 1988-89, no further ash has been deposited at the Old Ash Dyke. Over the course of more than 38 years, natural vegetation and plantation have developed on the reclaimed surface, resulting in the formation of a stable greenbelt cover with Babul trees up to a height of 10 to 15 feet. The area has remained environmentally undisturbed and stabilized since then. A photograph of the Old Ash Dyke dated 22.08.2025 has been attached herewith and marked as ANNEXURE R-7.

11. That the remediation of the Old Ash Dyke was not a unilateral administrative action bereft of any technical consideration but was carried out pursuant to judicial proceedings before the Hon'ble Supreme Court, under independent expert verification and supervision also under the consultancy of Central Electricity Authority (CEA), Govt of India. Certified copies of the relevant Supreme Court proceedings and expert report are annexed herewith and marked as ANNEXURE R-8 (COLLY).

12. That the Ministry of Environment, Forest and Climate Change issued the Fly Ash Utilisation Notification dated 31.12.2021. The First Proviso to Clause A(5) thereof provides that legacy ash utilisation shall not be required where the ash pond or dyke has stabilized and reclamation with greenbelt or plantation has taken place, subject to certification by the concerned State Pollution Control Board.

13. That the Answering Respondent respectfully submits that the Old Ash Dyke fulfils the conditions stipulated in the aforesaid Notification, in as much as:



- a) reclamation with earth cover and plantation was completed pursuant to judicial directions and under the consultancy of Central Electricity Authority (CEA), Govt of India;
- b) stabilization has been in existence for more than 38 years; and
- c) no further ash deposition has taken place since abandonment of the site (IV) and no complaint of pollution resultant thereto has been received since then.

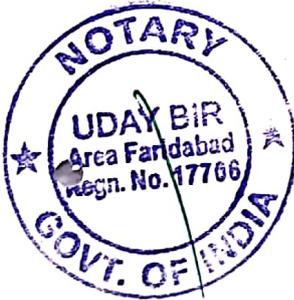
14. That in view of the above facts and the binding judicial history of the matter, the Old Ash Dyke stands remediated and environmentally stabilized, and therefore qualifies under the exemption contemplated in the First Proviso to Clause A(5) of the Notification dated 31.12.2021.


DEPONENT

VERIFICATION:

Verified at Faridabad on 11th day of March-2026 that the contents of the above-affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom.


DEPONENT



**Attested NOTARY
Area Faridabad
(Govt. of India)**

11 MAR 2026

JOINT ACTION COMMITTEE

A-193, Feroz Gandhi Nagar, N.I.T.
FARIDABAD.

Ref. No. JAC/88/15

Date 31-1-88

To

Hon'ble Chief Justice,
Supreme Court of India, New Delhi.

Sub:- Environmental pollution of Public Health Hazards -
Regarding.

....

M/Lord,

I have the honour to draw your kind attention towards the consumed ash-mixed water which ~~has~~ has been put between Nawada Koh village & M.M.3 N.I.T. Faridabad for the last more than thirteen years. The so called Dam has been filled up completely with the ash. The (Drain) Nallah following flow from the Dam has also been filled with the ash many a times & the H.S.E.B. authorities Faridabad has cleaned (empted) the Nallah & has been continuously thrown the ash out side the Nallah & put it nearby land & main road.

It has polluted the whole atmosphere of the Dabua Colony, village Nawada & M.M. 2-3 N.I.T Faridabad, particularly a big problem to the residents residing nearer to the Nawada Pali Road from Octroi Post No. 17, to M.M.3 N.I.T. Faridabad. Moreover it will be a great problem when the ash will be dried up in the summer season. This problem has already been brought to the notice of the H.S.E.B. authorities local & state level, but it is regretted to note that concerned authorities has not taken the public grievance so serious as it should have been taken.

- 2 -

Your goodself being the highest authority of the country to look after every interest of the people of the country, I humbly request your kind honour to make such convenient and possible arrangement as the flying ash may not be troublesome to the residents and passers by as early as possible.

With your kind permission it is suggested that at least 6 inches layer of clay sand may be put on the ash to completely cover it to avoid pollution.

At the end the residents will be highly obliged if you could kindly order the authorities concerned to do the needful in the interest of the people of this area.

Thanking you in anticipation.

Yours faithfully,

Sd/-

(JOGINDER PAULO
Joint Secretary

(TRUE COPY)

Item No. 6

Court No. 3

Section 205
PIL

R. S. 1

A/W

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (S) (Civil/Cr.) No. (S) 510/88 OF 19
(For prel. hearing)

Joint Action Committee

...PETITIONER(S)

VERSUS

State of Haryana
(with appln. for condn. of delay)

...RESPONDENT(S)

Date : 31.7.89. This/These petition (s) was/were called on for hearing today

CORAM :

Hon'ble Mr. Justice

RANGANATH MISRA

Hon'ble Mr. Justice

KULDIP SINGH

C/

Hon'ble Mr. Justice

For the Petitioner (s) Mr. B.P. Sarathi, Mr. CVS. Rao, Advs.

For the Respondent (s) Mr. Mahabir Singh, Adv.
For R.S. : Mr. R. Mohan, Mr. R. Ayyemperumal, Advs.

UPON hearing counsel the Court made the following

ORDER

We have perused the affidavit filed by the State along with the photographs. In the facts and circumstances appearing on the record we are of the view that the Chairman, Central Pollution Control Board should appoint an expert, not being a Member of the Board to inspect the site with prior notice to the parties and make a report as to whether the stand adopted in the counter affidavit is correct and he would be free to indicate in his report as to whether the manner in which the work is being done is satisfactory and meet the requirements. The report should be submitted within four weeks. Calls the matter after four weeks.

The order may be sent to the Chairman in course of the day.

(TRUE COPY)

✓
(V. NIGAM)
COURT MASTER.

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Copy of registered letter dated 25.8.1989 from Shri S.Hanmanth Rao, A-90 SPS, DDA Flats, Mount Kailash, New Delhi to the Chief Secretary to Govt. Haryana, Chandigarh.

....

In the matter of Writ Petition No. 510 of 1988 before the Hon'ble Supreme Court of India.

....

Pursuant to the orders dated 31.7.1989 passed by the Hon'ble Supreme Court of India in the above Writ Petition, the Chairman, Central Pollution Control Board vide letter No. Legal/120(10)/88/6544, dated 9th August, 1989, has appointed me, S.Hanmanth Rao, as an expert to give a report in this case. Accordingly I hereby give notice that I would be inspecting the site on 6th September, 1989 and would be present at 10.30 a.m. at the premises of Faridabad Industries Association Bata Chowk, Faridabad to start inspection of the site.

You are therefore, requested that you may please note the above inspection date and time and also be present if you so desire during the inspection.

Copy to Shri A.K.Chaudhary, Executive Engineer, Faridabad Thermal Haryana State Electricity Board, Faridabad for information with a request that he may please be present on the date mentioned above during the inspection.

Copy to Shri Mahabir Singh, Advocate, Standing Counsel for State of Haryana for information and necessary action.

HARYANA GOVERNMENT
IRRIGATION & POWER DEPARTMENT

SUPREME COURT CASE
DATE BOUND

No. 4/11/88, dated Chandigarh, the 29th August, 1989

A copy is forwarded to the Legal Remembrancer, Haryana State Electricity Board, Panchkula, for information and immediate necessary action.

Mahabir
Under Secretary Irrigation & Power,
for Financial Commissioner & Secretary to Govt. Haryana
Irrigation & Power Departments.



*R. 4/30/89
14914*

*Relate with LR HSEB Panchkula
17/9/89
4/5/89 5/9*

*1808 Govt
12/9
(TRUE COPY)*

S.
 SRI HANMANTH RAO,
 FORMER CHAIRMAN,
 NATIONAL STATE POLLUTION
 CONTROL BOARD,
 No. 323, Beneshankar, 3rd Stage,
 III Phase,
 BANGALORE - 560 085

CMP

A-90, A.T.G.
 BDA, FLEETS,
 Mount Malabar,
 NEW DELHI - 110 060

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R E P O R T

1. The Hon'ble Supreme Court by Order dated 31-7-1969 vide Annexure 'A' has passed orders directing the Chairman, Central Pollution Control Board to appoint an expert not being a Member of the Board to inspect the site with prior notice to the parties and make a report as to whether the stand adopted in the Counter Affidavit is correct and he would be free to indicate in his report as to whether the manner in which the work is being done is satisfactory and meet the requirements.
2. The Chairman, Central Pollution Control Board in his proceedings No. Legal/120(10/60/6544 dated 24th August 1969 was pleased to appoint me to carry out the directions contained in the order vide Annexure 'A'.
3. Notices to the concerned parties were sent on 23-8-1969 and they were requested to be present on 6th September 1969 at 10.30 at the premises of the Faridabad Industries Association, Datta Chowk and the following persons were present at the time of my inspection.

1. Mr. A.P. Maindiratan,
 Chief Engineer, District,
 Faridabad State Electricity Board.

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2. Dr. J. P. Gupta,
Rep. Joint Action Committee.
3. Mr. Rohitosh Chalia,
Rep. Joint Action Committee.
4. Mr. Radheballab,
Rep. Joint Action Committee.
5. Mr. J. L. Arora,
S.E., Thermal,
Haryana State Electricity Board,
Faridabad.
6. Mr. M. P. Singh,
Environment Engineer,
Pollution Control Board, Faridabad.
7. Mr. T. C. Gupta,
Asst. Environment Engineer,
Pollution Control Board, Haryana.
8. Mr. Ishwar Singh,
Law Officer,
Central Pollution Control Board,
New Delhi.

4. Before making an on the spot inspection, I have perused the averments in the Writ Petition filed before the Hon'ble Supreme Court as well as the Counter Affidavit and Rejoinders filed by the respective parties.

5. Detailed inspection was made after preliminary discussions with the parties present at the sites in question regarding the problem of dust emanating from the dumps. The background for the entire case is the establishment of a thermal Power Station of 130 MW capacity. The ash left over from combustion was being disposed off by way of adding water and slurry, conveyed and deposited in a selected areas. The details of the ash dumping areas are as follows:-

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Area (1) 68,000 Sq.Mts.

Area (2) 1,90,000 Sq.Mts.

Area (3) 20,000 Sq.Mts.

Further overflow from the ash pond was being conveyed in a drain passing through the nearby builtup areas and finally meeting the drainage system of Peridoban Town before entry into the Yamuna River. It would appear that as long as the ash dumps were in use with the depositions of ash slurry, there was no problem of ash flying as water cover was available. In course of time as the ponds started filling up and they were abandoned that the deposited ash totally dried up and the dried ash was flying in all directions. This was the main cause for the problem faced by the residents. Additionally in the discharged drain from the ash ponds would get silted up and this ash was being removed from the drains, and stacked on the sides which would dry up it create problems of ash flying all over. From the year 1984 when the area No.1 was filled up and abandoned problems started and similar subsequent disuse of the other area in November 1988. Later on area No.3 was developed and put to use from March 1988 to July 1988. As at present all the three dump areas had been fully utilised and abandoned. The State Electricity Board has taken action to create a new dump area between village Farhin and Padraal measuring about 152 acres with sufficient capacity for carrying ash to last for a period of 10 to 15 years. 04. In continuation of the management and the new

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15/9

the plan was developed on a scientific basis and it is believed that the filter is 100% effective of any ash material and it may not create any problems in future.

6. The whole problem of mitigating measures to be taken up to prevent the ash flying over from the disposal areas which has been formulated and action taken are as follows:-

- (i) The plan of the Andhra State Electricity Board is to cover the entire areas with a layer of 8 inches of earth, compacted to 6" depth;
- (ii) Plant grass with watering for sufficient period to see that the grass takes root.

7. The work in the disposal area No.2 has been covered to an extent of about 1,60,000 Sq.Mts. and in the balance of 30,000/- Sq.Mts., grass was being planted. In the disposal area No.1 work is still to be completed in an extent of about 50000 Sq.Mts., out of total of 65,000 Sq.Mts., and in Area No.3, the work is completed and the entire area of 20000 Sq.Mts. covered with earth and grass planted.

8. During the inspection it was observed that in Area No.3 and in parts of Area No.2 where the grass has been planted, it has taken root and surviving.

9. Additionally, apart from the above areas there are

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(15/3)

-15-

area along the drain leading to Yamuna River where ash has overflowed the drains and is creating problems of ash flying over which area is approximately 41,000 Sq. Mts., or 4.18 Hectares. The State Electricity Board made a statement during the inspection that this work also would be taken up on the lines similar to the treatment being given to the three disposal areas and would be completed along with the other works on hand.

10. Regarding adequacy of the measures now taken up by the Haryana Electricity Board, I am of the opinion that under the circumstances, the measures proposed by them and being executed are satisfactory and in areas where the necessary measures have ^{been} implemented and grass planted, no fly over of ash is taking place and there may not be any possibility of the same later on. It has been the practice in all the developed countries that wherever ash disposal has to be made reclamation of the ash dump area is undertaken by suitable earth covering and planting grass and forest. Therefore the practice adopted by the Haryana State Electricity Board is similar to the practice existing for similar situations elsewhere. Similar treatment on the area along the drain where the Petitioners have complained of ash flying over from ash material removed from the drain and stacked by the sides, similar treatment as promised by the Haryana State Electricity Board would meet the requirements.

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-16-

11. Being aware of the problem of fly over of ash from the dump areas, the new dump area which is proposed should not give cause for ^{any} complaint by the public. During the inspection the persons representing the various interests accompanying me have seen for themselves the measures taken up and were satisfied with the type of the work being done but requested for expediting the entire work in such a way that such problem should not be confronted by them during the next dry season. To this extent enquiries were made from the Haryana State Electricity Board regarding the time required for completion of the entire work. There appears to have been some minor set backs in the execution of the work like non availability of water etc., but on the date of inspection sufficient number of labour was working at the site and the Electricity Board Authorities are confident of completing the earth cover in area No.1 by the end of October 1969 and the entire work of grass planting in all the three areas would be completed by end of November or in the middle of December 1969 including the 4.104 Hectares of area required to be treated alongwith the drain apart from the dump areas.

CONCLUSION

12. The content of work and the manner of execution as mentioned in the Counter Affidavits have been kept up to date by the Haryana State Electricity Board. The proposals now made and the work being

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-7:-

work should be sufficient and adequate to prevent the ash from flying over. Additionally a point was made by the Maryland State Electricity Board that the Forest Department is interested in having a tree cover in the area and would take up the work on its own and that a decision to this effect has been taken. This measure would additionally stabilise the earth cover in the areas. Further as a precautionary measure it would be advisable to arrange for adequate watering of the grass planted to see that it survives and takes firm root.

RECOMMENDATION:

1. The entire work of earth cover and grass planting should be completed by middle of December 1959 in the three dump areas including the area of 4.16 hectares along the drain.
2. In a contingent situation, there should be adequate arrangement for watering all grass planted to see that it takes firm root.
3. It would be highly desirable to see that a tree cover is established in all areas where earth cover is put by planting trees extensively.

New 1141
11-9-59

(COMMUNICATED RAO)

(TRUE COPY)

Item No. 20

Court No. 3

Section

FIL 211

1919
SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

A/H

WRIT PETITION (S) (Civil/Cr.) No. (S) 510

(For Prel. Hearing)

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...PETITIONER(S)

Joint Action Committee
 VERSUS

...RESPONDENT(S)

State of Haryana

Date : 18.9.89 : (with appln. for condn. of delay & office report)
 This/These petition (s) was/were called on for hearing today

CORAM :

Hon'ble Mr. Justice RANGANATH MISRA
 Hon'ble Mr. Justice M.N. VENKATACHALIAH
 Hon'ble Mr. Justice

For the Petitioner (s) Mr. G.V. Rao, Adv.

For the Respondent (s) Mr. B. Parthasarthy, Ms. A. Subhashini, Adv.
 For Res. No. Mr. Mahabir Singh, Adv.
 For Res. No. 3 Mr. R. Ayyamperumal, Adv.
 Mr. R. Mohan, Adv.

UPON hearing counsel the Court made the following
 ORDER

In the earlier occasion, as directed, Mr. Mahabir Singh was to deposit a sum of Rs. 5,500/- towards remuneration of the expert. Counsel agree that the said amount shall be paid by cheque in favour of the expert during course of the day.

The report of the expert is taken for consideration. Counsel for the p-titioners says if the recommendations of the expert are implemented by the State of Haryana, they will be satisfied for the present and no further order would be necessary.

Mr. Mahabir Singh appearing for the State of Haryana undertakes to implement the recommendations by the end of December 1989. In view of the undertaking given on behalf of the State of Haryana, no further directions are necessary. The petitioners are, however, given liberty to apply in the event of non-compliance. The Writ Petition is disposed of.

V. K. Nigam
 (V.K. NIGAM)
 ASST. REGISTRAR-cum-PS

Low Officer,
 for L.R., HSEB, Panchkula.

(TRUE COPY)

THE THERMAL PROJECT FARIDABAD
(A UNIT OF HARYANA STATE ELEC. BOARD)

From

The Chief Engineer/Thermal,
Civil Const. Cell,
HSEB, Faridabad.

To

The Legal Remembrancer,
HSEB Complex, Sector-6,
Shakti Bhawan, Panchkula.

Memo No. 318 / CWS/MS-75
Dt: 2.3.90

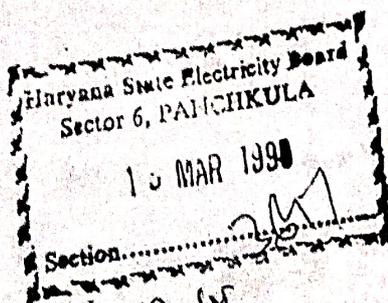
Sub: In the matter of writ petition No. 510 of 1988
before the Hon'ble Supreme Court of India.
.....

In continuation to this office memo No. 1393/
CWS/MS-75 dt. 22.9.89.

It is further informed that the work of laying
~~the road~~ in the old ash disposal area, where the ash slurry
was being dumped, has been completed on 7.2.90.

Executive Engineer, Civil,
for C.E./Thermal, HSEB, Faridabad.

[Handwritten Signature]
9/3/90



43-2 (F)

Copy of the above is forwarded
to the Commission & Secy to Govt Div
(14), Delhi Office of this
Dept.

(ii) Sh. Mahavir Singh, Admnstr
Rose no 105 Haryana Bhawan
New, Delhi. Lndm eff.

(TRUE COPY)

[Handwritten initials]

Old Ash Dyke

22/08/2025



(TRUE COPY)

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Item No. 6

Court No. 4

Section

(A.N.)

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (S) (Civil/~~Sub~~ No. (S) 510/88 (For Prel. Hea-~~ring~~ ~~order~~ ~~ring~~)

Joint Action Committee

...PETITIONER (S)

State of Haryana

VERSUS

...RESPONDENT (S)

Date: 5.12.88

This/These petition (s) was/were, called on for hearing today

CORAM:

~~Hon'ble the chief Justice~~

Hon'ble Mr. Justice Ranganath Misra

Hon'ble Mr. Justice M.N. Venkatachaliah

For the Petitioners: Mr. C. Venkatesh Rao, Adv.

For the Respondents: State of Haryana:- M/s. Mahabir Singh, RR. Singh
Adv.

(not present)

UPON hearing counsel the Court made the following
ORDER

The Writ Petition is adjourned for four weeks, as
prayed for.

V.K. Nigam
(V.K. Nigam)
Court Master

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

(For Prel. Hearing)

WRIT PETITION (S) (CIVIL) No. (S)

510 OF 1988

Joint Action Committee

...PETITIONER(S)

State of Haryana

VERSUS

...RESPONDENT(S)

Date : 2.1.1989

This/These petition (s) was/were, called on for hearing today

CORAM :

~~Hon'ble Mr. Justice~~ The Chief Justice

Hon'ble Mr. Justice M.N. Venkatachaliah

~~Hon'ble Mr. Justice~~

For the Petitioner (s) Mr. G. Venkatesh Rao, Adv.

For the Respondent (s) : Mr. Mahabir Singh, Mr. Srinivas Chowdhary, Advs.

UPON hearing counsel the Court Made the following

ORDER

List the matter after four weeks. Meanwhile, a copy of the papers will be supplied, to the respondent by learned counsel for the petitioner.

K Bal Sood
(K. BALA SOOD)
COURT MASTER

13/3

201

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (S) (CIVIL/SC) No. (S) 510/88 (For Prel. Hea- ~~aring~~ ^{OF 18})

Joint Action Committee

...PETITIONER(S)

VERSUS

State of Haryana

...RESPONDENT(S)

Date : 13.3.89 This/These petition (s) was/were called on for hearing today

CORAM :

Hon'ble Mr. Justice Ranganath Misra

Hon'ble Mr. Justice K. Jagannatha Shetty

Hon'ble Mr. Justice

For the Petitioner (s) Mr. ~~Mr.~~ G. Venkatesh Rao, Adv.

For the Respondent (s) : Mr. Mahabir Singh, Adv.

UPON hearing counsel the Court Made the following
ORDER

The report of the Registry indicates that notices were taken out. The service returns have not come. Liberty is given to the petitioner's* counsel to take out Dasti Service to the authorities as represented by their State Counsel. List the matter after two weeks.

R. Gopal
(Raj Gopal)
Court Master
R.G.

Item No. 20

23
Court No. 3

Section 450
FIL
707 (A.N.)

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (S) (CIVIL/CRIM) No (S) 510/88 (For Prel. Injunctive relief)

Joint Action Committee

...PETITIONER(S)

State of Haryana
(With office report)

VERSUS

...RESPONDENT(S)

Date : 27.3.89

This/These petition (s) was/were, called on for hearing today

CORAM :

Hon'ble Mr. Justice Ranganath Misra

Hon'ble Mr. Justice N.D. Ojha

Hon'ble Mr. Justice

For the Petitioner (s) Mr. C. Venkatesh Rao, Adv.

For the Respondent (s) : Mr. Mahabir Singh, Adv.

UPON hearing counsel the Court Made the following

ORDER

Standing counsel for the Central Government as also for the Central Pollution Board take notice. Counsel for the Petitioner wants a week's time for filing the rejoinder to the counter affidavit filed on behalf of the State of Haryana. Learned Counsel for the Union of India and the Central Pollution Board are given three weeks' time for filing of the counter affidavit. Copy of this Writ Petition shall be supplied by the counsel for the petitioner to the learned standing counsel in course of the day. The matter be listed on 2nd May, 1989 for final disposal.

Wigam

Item No. 6

Court No. 3

Section PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

A/N

WRIT PETITION (S) (Civil/Cri.) No. (S) 510/88 OF 19
(For prel. hearing)

Joint Action Committee

...PETITIONER(S)

VERSUS

State of Haryana
(with appln. for condn. of delay)

...RESPONDENT(S)

Date : 31.7.89. This/These petition (s) was/were called on for hearing today

CORAM :

Hon'ble Mr. Justice

RANGANATH MISRA

Hon'ble Mr. Justice

KULDIP SINGH

Hon'ble Mr. Justice

For the Petitioner (s) Mr. BP. Sarathi, Mr. CVS. Rao, Advs.

For the Respondent (s) Mr. Mahabir Singh, Adv.
For R.S. : Mr. R. Mohan, Mr. R. Ayyemperumal, Advs.

UPON hearing counsel the Court made the following

ORDER

We have perused the affidavit filed by the State along with the photographs. In the facts and circumstances appearing on the record we are of the view that the Chairman, Central Pollution Control Board should appoint an expert, not being a Member of the Board to inspect the site with prior notice to the parties and make a report as to whether the stand adopted in the counter affidavit is correct and he would be free to indicate in his report as to whether the manner in which the work is being done is satisfactory and meet the requirements. The report should be submitted within four weeks. Call the matter after four weeks.

The order may be sent to the Chairman in course of the day.

(VK. NIGAM)
COURT MASTER.

Item No. 10

Court No. 3

Section PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS
(FOR PREL. HEARING)

WRIT PETITION (S) (Civil/Crd.) No. (S) 510

A/H

OF 19 88

Joint Action Committee

...PETITIONER(S)

VERSUS

State of Haryana
(With appln. for condn. of delay)

...RESPONDENT(S)

Date : 28.8.89: This/These petition (s) was/were called on for hearing today

CORAM :

Hon'ble Mr. Justice Ranganath Misra
Hon'ble Mr. Justice M.N. Venkataschaliah
Hon'ble Mr. Justice

For the Petitioner (s) Mr. B. Parthasarthy, Adv.
Mr. G.V. Rao, Adv.
Ms. A. Subhashini, Adv.

For the Respondent (s) Mr. Mahabir Singh, Adv.
Mr. R. Mohan, Adv.

UPON hearing counsel the Court made the following
ORDER

The time is extended for submission of the report
in terms of the Court's order dated the 31st July, 1989.

The matter is adjourned for two weeks.

(ANITA KASHYAP)
ASST. REGISTRAR-CUM-P.S.

Item No. 7

Court No. 5

Section *209*
FIL
(AR)

1119

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (S) (Civil/Crl.) No. (S)

510

OF 19 88

(For Prel. Hearing)

Joint Action Committee

...PETITIONER(S)

VERSUS

State of Haryana
(With appln. for condn of delay)

...RESPONDENT(S)

Date : 11.9.89 : This/These petition (s) was/were called on for hearing today

CORAM :

Hon'ble Mr. Justice

Hon'ble Mr. Justice

Hon'ble Mr. Justice

RANGANATH MISRA
M.N. VENKATACHALIAH

For the Petitioner (s) Mr. B. Parthasarthy, Adv.
Ms. A. Subhashini, Adv.
Mr. GV Rao, Adv.

For the Respondent (s) : Mr. Mahabir Singh, Adv.
For rr-3 : Mr. R. Mohan, Adv.
For rr 3 in W.P. 510/87 : M/s R. Mohan & R. Ayyamperumal, Advcs.

150

UPON hearing counsel the Court made the following
ORDER

Report of Shri Manumant Rao, retired Chairman of
by the respondent and has been filed in court today
Karnataka State Pollution Control Board has been received.

Copies have been served on counsel to the petitioner and counse

for the State of Haryana. This matter shall be listed on
18.9.89 for disposal. A sum of Rs. 5,500/- shall be deposited
by the State of Haryana, to be paid to the expert.

V. K. Nigam
(V.K. NIGAM)
Asst. Registrar-cum-P.S.

CS

Item No. 20

Court No. 3

Section

FIL

454

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

A/N

WRIT PETITION (S) (Civil/Cr.) No. (S) 510
XX

(For Prel. Hearing)

68

...PETITIONER(S)

Joint Action Committee
VERSUS

...RESPONDENT(S)

State of Haryana

Date : 18.9.89 : (with appln. for condn. of delay & office report)
This/These petition (s) was/were called off for hearing today

CORAM :

Hon'ble Mr. Justice RANGANATH MISRA
Hon'ble Mr. Justice M.N. VENKATACHALIAH
~~Hon'ble Mr. Justice~~

For the Petitioner (s) Mr. GV Rao, Adv.

For the Respondent (s) Mr. B. Parthasarthy, Ms. A. Subhashini, Adv.
For Res. No. Mr. Mahabir Singh, Adv.
For Res. No. 3 Mr. R. Ayyamperumal, Adv.
Mr. R. Mohan, Adv.

UPON hearing counsel the Court made the following
ORDER

In the earlier occasion, as directed, Mr. Mahabir Singh was to deposit a sum of Rs. 5,500/- towards remuneration of the expert. Counsel agree that the said amount shall be paid by cheque in favour of the expert during course of the day.

The report of the expert is taken for consideration. Counsel for the petitioners says if the recommendations of the expert are implemented by the State of Haryana, they will be satisfied for the present and no further order would be necessary.

Mr. Mahabir Singh appearing for the State of Haryana undertakes to implement the recommendations by the end of December 1989. In view of the undertaking given on behalf of the State of Haryana, no further directions are necessary. The petitioners are, however, given liberty to apply in the event of non-compliance. The Writ Petition is disposed of.

(V.K. NIGAM)

ASST. REGISTRAR-cum-PS

(TRUE COPY)